



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission		Attorney Docket Number	033905-000014
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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> 2 nd Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <p>(please identify below):</p> <p style="margin-left: 20px;">Copy of status inquiry filed 6/21/04, Copy of Response to Inquiry dated 7/1/04, Copy of fax dated 7/15/04.</p>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Adrienne Yeung, Reg. No. 44,000
Signature	
Date	9/2/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Ruth Rodriguez
Signature	
Date	September 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

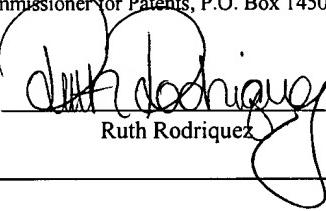


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey C. Herold
SERIAL NO.: 09/760,130
FILING DATE: 1/12/01
TITLE: ERGONOMICALLY CONFIGURED SHOULDER STRAPS SYSTEM
EXAMINER: Unassigned
ART UNIT: Unassigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date printed below:

Date: September 2, 2004 Name: 
Ruth Rodriguez

Commissioner for Patents,
P.O. Box 1450 Alexandria, VA 22313-1450

SECOND STATUS INQUIRY LETTER

Please advise the status of the above-identified patent application. Several attempts have been made to inquire about the status of the above mentioned matter to no avail as outlined below:

1. On 6/21/04, a Status Inquiry Letter was filed with the patent office (Tab A).
2. On 7/1/04, a Response to the Status Inquiry Letter was received from the PTO informing us that application was abandoned (Tab B).
3. On 7/5/04, 7/8/04, and 7/15/04 I personally communicated with Examiner Larry Schwartz informing him that a Petition to Withdrawal of Abandonment was filed on 11/18/03. Examiner Schwartz initially informed me that he would locate the file to determine whether the petition was in the file, but then later instructed me to call Examiner Doshie Day.
4. On 7/15/04, I personally communicated with Examiner Doshie Day whereby we were instructed to fax a copy of the petition to her (Tab C).
5. On 7/23/04, 7/28/04, 8/12/04, 8/16/04, and 8/23/04 we communicated with Examiner Day to inquire about the case. In each instance, she informed us that she was attempting to locate the file. However, after 1 1/2 months, she has yet to locate the file.

After several months of communication with the PTO with no success, Applicant hereby submits this Second Status Inquiry Letter. Applicant respectfully requests prompt attention to the status of this application so that prosecution may be continued immediately.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Dated: September 2, 2004

Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
(408) 292-5800
(408) 287-8040 (Fax)

Respectfully submitted,
Thelen Reid & Priest LLP


Adrienne Yueng
Reg. No. 44,000





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Serial/Patent No.: 09/760,130 Filing/Issue Date: 1/12/01
Applicant: Jeffrey C. Herold
Title: ERGONOMICALLY CONFIGURED SHOULDER STRAPS SYSTEM

TRP Docket No.: 033905-014

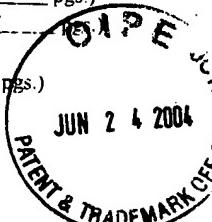
Atty/Secty Initials: AY/r

Date Mailed: 6/21/04

Docket Due Date:

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- Amendment/Response (____ pgs.) IDS & PTO 1449 (____ pgs.)
 Appeal Brief (____ pgs.) (in triplicate) ____ Pieces of Prior Art Enclosed
 Application - Utility (____ pgs. with cover & abstract) Issue Fee Transmittal
 Application - Rule 1.53(b) Continuation (____ pgs.) Submission of Formal Drawings:
 Application - Rule 1.53(b) Division (____ pgs.) _____ # of sheets includes _____ figures
 Application - Rule 1.53(b) CIP (____ pgs.) Notice of Appeal
 Application - Rule 1.53(d) CPA (____ pgs.) Postcard
 Application - PCT (____ pgs.) Preliminary Amendment (____ pgs.)
 Application - Provisional (____ pgs.) Reply Brief (____ pgs.)
 Assignment and Cover Sheet Req and Cert. Not to Publish - Rule 1.213
 Certificate of Correction Request for Continued Examination (RCE) (____ pgs.)
 Certificate of Mailing Request for Extension of Time _____ Month(s)
 Declaration & POA (____ pgs.) Response to Notice to File Missing Parts
 Fee Transmittal Copy of PTO Notice to File Missing Parts
 Drawings (informal): Transmittal Letter (original & copy)
_____ # of sheets includes _____ figures Express Mail No.: _____
 Other Check(s) \$ _____
STATUS INQUIRY Deposit Acct No. 50-1698 \$ _____
Patent Code: _____
Client/Matter # 33905 - 14





Docket No. 033905-014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey C. Herold
SERIAL NO.: 09/760,130
FILING DATE: 1/12/01
TITLE: ERGONOMICALLY CONFIGURED SHOULDER STRAPS SYSTEM
EXAMINER: Unassigned
ART UNIT: Unassigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date printed below:

Date: June 21, 2004

Name: Ruth Rodriguez

Ruth Rodriguez

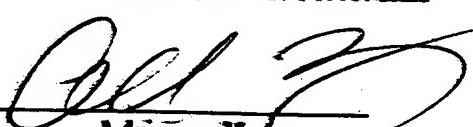
Commissioner for Patents,
P.O. Box 1450 Alexandria, VA 22313-1450

STATUS INQUIRY LETTER

Please advise the status of the above-identified patent application.

Respectfully submitted,
Theelen Reid & Priest LLP

Dated: June 21, 2004


Adrienne Yueng
Reg. No. 44,000

Theelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
(408) 292-5800
(408) 287-8040 (Fax)

33905-14

Larry I. Schwartz
United States Patent & Trademark Office
Customer Service Center, Technology Center 3700
 703/306-5648

Date: 7/1/04

Total # of pages including cover sheet: 1

To: Adrienne Yueng Recipient Fax: 408-287-8040

From: Larry I. Schwartz
Administrator
Customer Service Center Sender Fax: 703-872-9301**Memo:****In response to your inquiry:**

Application 09760130 is currently in Status: 160 /ABANDONED – INCOMPLETE APPLICATION (as of 10/28/2003. The application is currently assigned to Group Art Unit: 3727. The docketed class/subclass is 224/ ...

Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax•Fax

Confirmation Report - Memory Send

Page : 001
Date & Time: 07-15-04 11:43am
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Number of pages : 013
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End time : 07-15 11:43am
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Thelen Reid & Priest LLP Attorneys At Law

225 West Santa Clara Street, Suite 1200
San Jose, CA 95113-1723
Tel. 408.282.5800
Fax 408.287.8040
www.thelenreid.com

F A X C O V E R P A G E

Date: July 15, 2004 Total Pages: 15
(including cover)
To: Examiner Doshie Day, U.S. Patent Office Fax: 1.703.305.9822
Phone: 1.703.308.3640
From: Adrienne Young Fax: 408.278.8209
Phone: 408.282.1809
E-Mail: ayoung@thelenreid.com

SERIAL NO.: 17187878.100 VIA FAX ONLY
FILED: JULY 15 2004 BY: AY/AY

Dear Examiner Day:

Thank you for taking your time to speak with me about the above referenced patent application. Respectfully submitted, is a true copy of the Petition to Withdraw Holding of Abandonment filed on November 18, 2003, and confirmation of receipt dated November 21, 2003.

If you have any questions, please do not hesitate to contact me directly. Thank you for your attention to this matter.

Sincerely,


Adrienne Young

AY/AY

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Job #	ATTORNEY #	CLIENT-MATTER #	RETURN TO	ROOM #
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SV #173d86 v1

225 West Santa Clara Street, Suite 1200
San Jose, CA 95113-1723

Tel. 408.292.5800
Fax 408.287.8040
www.thelenreid.com

F A X C O V E R P A G E

Date: July 15, 2004

Total Pages: 13
(including cover)

To: Examiner Doshie Day,
U.S. Patent Office

Fax: 1.703.305.9822
Phone: 1.703.308.3640

From: Adrienne Yeung

Fax: 408.278.8209
Phone: 408.282.1809
E-Mail: ayeung@thelenreid.com

S E R I A L N O . : 0 9 / 7 6 0 , 1 3 0

F I L E D : 1 / 1 2 / 0 1

T R P D O C K E T N O . : 0 3 3 9 0 5 - 0 1 4

VIA FAX ONLY

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Sincerely,


Adrienne Yeung

AY/rr

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JOB #	ATTORNEY #	CLIENT-MATTER	RETURN TO	ROOM #
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SV #173686 v1

Serial/Patent.No.: 09/760,130 Filing/Issue Date: 1/12/01

Applicant: Jeffrey C. Herold

Title: Ergonomically Configured Shoulder Straps System

TRP Docket No.: 033905-000014

Atty/Secty Initials: AY/dm

Date Mailed: 11-18-03

Docket Due Date: 11-18-03

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- Amendment/Response (pgs.) IDS & PTO 1449 (pgs.)
 Appeal Brief (pgs.) (in triplicate) _____ Pieces of Prior Art Enclosed
 Application - Utility (pgs. with cover & abstract) Issue Fee Transmittal
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 Certificate of Mailing Request for Extension of Time Month(s)
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 Drawings (informal): Transmittal Letter (original & copy)
 # of sheets includes figures Express Mail No.: _____
 Other: Check(s) \$ _____
Petition to Withdraw Holding of Abandonment Deposit Acct. No. 50-1698 \$ _____
Patent Code: _____
Client/Matter # 33905 - 14

CANCELLED

NOV 21 2003

Serial/Patent.No.: 09/760,130

Filing/Issue Date: 1/12/01

Applicant: Jeffrey C. Herold

Title: Ergonomically Configured Shoulder Straps System

TRP Docket No.: 033905-000014

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Patent Code: _____
Client/Matter # 33905 - 14

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Total Number of Pages in This Submission

Application Number 09/760,130

Filing Date 1/12/01

First Named Inventor Jeffrey C. Herold

Art Unit unknown

Examiner Name unknown

Attorney Docket Number 033905-000014

ENCLOSURES (check all that apply) Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) _____ After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s)
(please identify below):

Petition to Withdraw Holding of Abandonment; return postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Adrienne Yeung, Reg. No. 44,000 - Thelen Reid & Priest LLP

Signature

Date

11/17/03

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Typed or printed name Diane Morse

Signature

Date 11-18-03

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